

**GOVERNMENT OF TELANGANA
ABSTRACT**

Public Services – Industries & Commerce Department – Disciplinary action initiated against Sri Vishnu Prasad, Assistant Section Officer (Retd.), Industries & Commerce Department, A.P. Secretariat, Hyderabad for violation of Rule 4(1) of A.P. Civil Services (Conduct) Rules, 1964 – Article of charges framed - Enquiry conducted - Imposing a punishment of 2% cut in pension for a period of one (1) year – Orders-Issued.

=====

INDUSTRIES AND COMMERCE (OP) DEPARTMENT

G.O. Rt .No.72

Dated: 05.03.2015.

Read the following:-

1. G.O.Rt.No.88, Industries & Commerce (OP.I) Department, dated: 06.02.2013.
2. Explanation of the individual dt. 14.02.2013.
3. Memo. No.15595/OP.I (1)/2007 dated 18.03.2013 appointing of Inquiry Officer.
4. Lr.No.6723, dated 22.04.2013 of Asst. Secretary to Government, Industries & Commerce (OP.I) Department, A.P. Secretariat, Hyderabad/Inquiry Officer.
5. Show Cause Memo. No.15595/OP.I (1)/2007, dated 24.05.2013.
6. Explanation of the Accused Officer to the Show cause Notice dated 10.06.2013.
7. Show Cause Memo. No.15595/OP.I(1)/2007, dated 01.05.2014.
8. Explanation of the Accused Officer to the Show cause Notice dated 08.05.2014.
9. From the Secretary Incharge, A.P. Public Service Commission, Hyderabad D.O. Lr.No.882/RT/1/2014 dated 28/07/2014.

ORDER:

Whereas, it has been brought to the notice of the Department that Sri Vishnu Prasad, formerly Assistant Section Officer, Industries & Commerce Department, Andhra Pradesh, Secretariat, Hyderabad was on Un-authorized absence and violated rule 4(1) of A.P. Civil Services (Conduct) Rules, 1964, Government have initiated disciplinary action by framing charges against him vide reference 1st read above, as detailed below.

Charge I : That Sri. Vishnu Prasad, Assistant Section Officer, Industries & Commerce Department, Andhra Pradesh, Hyderabad has applied for medical leave with effect from 27.09.2007 onwards and extended upto 16.12.2007. He reported to duty on 17.12.2007. However, he was not admitted duty and the leave was also not sanctioned. Further, he again absconded from his duties with effect from 29.12.2007 onwards, without any prior permission/leave application. Hence, he was un-authorizedly absent from duty with effect from 29.12.2007. Thus, he violated rule 4(1) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.II: That Sri. Vishnu Prasad, Assistant Section Officer, Industries & Commerce Department, A.P., Hyderabad has failed to submit his explanation for his un-authorized absence. He neither submitted his explanation nor reported for duty and who disobeyed the orders of higher officers and mislead the department, by giving wrong address. Thus, he violated Rule 3 of APCS (Conduct) Rules, 1964.

P.T.O.

2. In the reference 2nd read above, Sri Vishnu Prasad, formerly Assistant Section Officer, Industries & Commerce Department has submitted his written statement of defence that he was suffered with "LUMBAGO" problem long time before 27.09.2007 and therefore, as per his family Doctor advice, he has applied medical leave for (8) weeks i.e., from 27.09.2007 along with Medical Certificate and extended upto 16.12.2007 with a request to sanction leave on Medical grounds and it shows that he had already applied leave letter in advance to the Secretary to Government, Industries & Commerce (OP.I) Department under certificate of posting as per leave rules, due to ill health. After availment of Medical leave, he had reported for duty on 17.12.2007 along with Medical and Fitness Certificate. He had attended the office from 17.12.2007 to 31.12.2007. He had again proceeded on Medical leave with effect from 01.01.2008 onwards due to illness for a period of six months along with medical certificate and extended upto 18.10.2012 and in the circumstances stated above, he had finally requested to drop further action against him.

3. On the Charged Officer denial of charges, Government have appointed the Assistant Secretary to Government, Industries & Commerce Department, Secretariat, Hyderabad as Inquiry Officer for conducting Inquiry into the charges framed against Sri. Vishnu Prasad, formerly Assistant Section Officer, Industries & Commerce Department, under Rule 20(2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 vide reference 3rd read above.

4. In the reference 4th read above, after conducting enquiry the Inquiry Officer has submitted Enquiry Report stating that with regard to Charge-I, that "the charged officer stated that the leave applications were sent to Government for sanction of leave in piecemeal manner and to that effect he has produced the certificate of posting acknowledgements given by Postal Department. But none of the application (10) Nos. have been received by Department. He could have been sent the leave application by Registered Post. Further, the Accused officer has stated that he was under treatment for Lumbago disease for the absented period for which he produced medical record which is suspectable as he has taken 5 days time to produce the same and it seems that the record was manipulated. With regard to charge No.II, substantiated records/information and hence, the charge can be waived off."

5. In the reference 5th read above, a copy of the enquiry report was communicated to the charged officer Sri. Vishnu Prasad, formerly Assistant Section Officer, Industries & Commerce Department, and offer his explanation on the findings of the enquiry report. In the reference 6th read above, the Accused Officer has submitted his explanation stating that the Inquiry officer has observed that in his findings that the produced Medical record is suspectable and taken 5 days time to produce the same and it seems that the record was manipulated, which is not correct, as there is no scope for manipulation of the said record. He has stated that the Enquiry Officer findings are entirely injustice and also not true on the basis of documentary and oral evidence adduced in the case. Inquiry officer is not conducted enquiry in fairly. He has finally, stated that he had already retired from service on the afternoon of 31.05.2013 as Assistant Section Officer, if the Medical leave applied by him from 27.09.2007 to 16.12.2007 and from 01.01.2008 to 18.10.2012 is not sanctioned, the said period will not counted for pension and requested to drop further action against him.

6. After careful examination of the entire matter keeping in view the findings of the Enquiry Report and the representation of the Accused Officer, Government have provisionally decided to impose a punishment of 2% cut in pension for a period of one (1) year against Sri. Vishnu Prasad, formerly Assistant Section Officer, Industries & Commerce Department (now retired). Accordingly, a show cause notice was issued duly informing the provisional decision with a direction to submit his explanation within (15) days from the date of receipt of the Memo vide reference

(Contd.3)

::3::

7th read above. In the reference 8th read above, the charged officer has submitted explanation stating that imposition of penalty of 2% cut in the pension for a period of one year will burden him financially in the remaining period, as he was facing very much financial problems, i.e., due to non-fixation of his pay, the pension papers have not been sent to the Accountant General, Hyderabad so far and also his children are not settled in their life till date and they are depending on him. Hence he has requested to drop further action against him.

7. Government, after careful examination of the entire matter keeping in view the provisional decision and the representation of the individual and in consultation with the AP Public Service Commission vide reference 9th read above, hereby impose a punishment of 2% cut in pension for a period of one (1) year on Sri Vishnu Prasad, Assistant Section Officer (now Retd.), Industries & Commerce Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SABYASACHI GHOSH
SECRETARY TO GOVERNMENT**

To
The Industries & Commerce (OP) Department,
Telangana Secretariat, Hyderabad

Copy to:-

Sri. Vishnu Prasad, Assistant Section Officer (Retd.), Industries & Commerce Department plot No.7, Road No.4, Padmalaya Enclave, Dwaraka Nagar, near Venkateswara Swamy Temple, Boduppal, Ranga Reddy District – 500039 **(in duplicate) and he is requested to return the served copy (duplicate copy) alongwith his full dated signature to this department, for record. (w.e.)**

The Secretary, A.P. Public Service Commission, Hyderabad.

The Secretary, Telangana Public Service Commission, Hyderabad.

The Accountant General, Telangana, Hyderabad.

The Pay Accounts Officer, Telangana, Hyderabad.

Sf/Sc.

//FORWARDED :: BY ORDER//

ASST. SECRETARY TO GOVERNMENT